

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

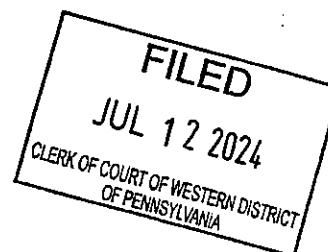
BRIAN TOOTLE : CIVIL ACTION

PLAINTIFF,

v.

CORRECTIONAL OFFICER LONG : NO. 1:20-CV-235

DEFENDANT,



MOTION FOR A TRIAL DATE, DEPOSITION AND DISCOVERY

AND NOW, COMES PLAINTIFF, BRIAN TOOTLE, PRO SE, ON THIS 6TH DAY OF JULY, 2024, RESPECTFULLY MOTIONS THE COURT FOR A TRIAL DATE, A HEARING FOR DEPOSITION, AND A FULL DISCOVERY DISCLOSURE IN THE CAPTIONED MATTER:

1) ON JUNE 4, 2024, THE PLAINTIFF RECEIVED A LETTER DATED MAY 29, 2024, FROM HIS FORMER ATTORNEYS (NATHANIEL G. ECKER AND MICHAEL MCCUNE), APPRISING THE PLAINTIFF THAT THEIR REPRESENTATION IN THE ALTERNATIVE DISPUTE RESOLUTION ("ADR") HAS COME TO AN END.

2) IN THAT VEIN, DUE TO THIS MATTER BEING RIPE FOR TRIAL, THE PLAINTIFF RESPECTFULLY REQUEST THAT THIS COURT ORDER A TRIAL DATE FOR THE SAKE OF OBLIVIATING A DELAY OF JUSTICE.

3) PURSUANT TO RULE 27 OF THE FED.R.CIV.P. THE PLAINTIFF RESPECTFULLY REQUEST THAT THE COURT ORDERS A HEARING FOR DEPOSITION TO PERPETUATE TESTIMONY, IN ORDER FOR THE PLAINTIFF TO DEPOSE SCI FOREST'S RESTRICTED HOUSING UNIT MANAGER ("RHU UM"), RHU SARGENT, AND CORRECTIONAL OFFICER LONG.

4) DEPOSING THE SAID OFFICERS IS ESSENTIAL TO ESTABLISHING SCI FOREST'S FORMAL ADHERENCE TO DC-ADM 801 INMATE DISCIPLINE POLICY, WITH RESPECT TO THE NORMAL RHU OPERATION.

5) LASTLY, PURSUANT TO RULE 26 OF THE FED.R.CIV.P. EXCEPT AS EXEMPTED BY RULE 26(A)(1)(B), THE PLAINTIFF RESPECTFULLY REQUEST THE COURT TO ORDER THE COMMONWEALTH TO FURNISH THE PLAINTIFF WITH A FULL DISCOVERY DISCLOSURE IN THE PERTINENT MATTER.

WHEREFORE, MR. TOOTLE RESPECTFULLY REQUEST THAT THE COURT GRANTS THIS MOTION, ORDERING A TRIAL DATE, A HEARING FOR DEPOSITION AND A FULL DISCOVERY DISCLOSURE.

RESPECTFULLY SUBMITTED,

/S/ BRIAN TOOTLE

BRIAN TOOTLE
PRO SE PLAINTIFF
SCI DALLAS
1000 FOLLIES ROAD
DALLAS, PA 18612

CERTIFICATE OF SERVICE

I, BRIAN TOOTLE, PLAINTIFF, PRO SE, HEREBY CERTIFY ON THIS 6TH DAY OF JULY, 2024, A TRUE AND CORRECT COPY OF THE ENCLOSED DOCUMENT TITLIE: "MOTION FOR A TRIAL DATE, DEPOSITION AND DISCOVERY", WAS SERVED TO THE BELOW ADDRESS VIA UNITED STATES POSTAL SERVICE:

UNITED STATES DISTRICT COURT
CLERKS OFFICE-ROOM A 150
17 SOUTH PARK ROW
ERIE PA 16501

/s/ BRIAN TOOTLE
BRIAN TOOTLE
SCI DALLAS
1000 FOLLIES ROAD
DALLAS, PA 18612

JULY 6, 2024